

Message Text

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ACTION DLOS-04

INFO OCT-01 ARA-06 ISO-00 ACDA-05 AGR-05 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01 COME-00 DODE-00

DOT-00 EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00 H-02

INR-07 INT-05 IO-10 JUSE-00 L-03 NSAE-00 NSC-05

NSF-01 OES-03 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15

USIA-06 FEA-01 /111 W

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P 212024ZS UG 75

FM AMEMBASSY BOGOTA

TO SECSTATE WASHDC PRIORITY 339

C O N F I D E N T I A L BOGOTA 7950

L.O. 11652: GDS

TAGS: LOS, CO, EC

SUBJECT: LOS: COLOMBIAN/ECUADORIAN DECLARATION ON MARITIME MATTERS

REF: A) STATE 196536 AND B) BOGOTA 7934

1. IN A FURTHER CONVERSATION WITH KEREIGN MINISTER LIEVANO ON AUG 21 ON ANOTHER TOPIC, I AGAIN BROUGHT UP LOS IN THE LIGHT OF PRESS REPORTS IN THIS MORNING'S PAPERS QUOTING THE COLOMBIAN AMBASSADOR IN QUITO AS SAYING COLOMBIA WILL JOIN ECUADOR IN DEFENDING THE 200 MILE TERRITORIAL SEA. THE MINISTER LITERALLY SNORTED, AND SAID THAT WAS NOT THE CASE. THEN HE SAID THAT IN TOTAL CONFIDENCE HE WANTED TO SHOW ME THE TEXT OF WHAT HE CALLED THE TWO KEY ARTICLES IN THE AGREEMENT WHICH IS TO BE SIGNED. ONE ARTICLE STATED THAT THE SEAWARD BORDER BETWEEN THE TWO COUNTRIES WAS TO BE DEFINED AS INDICATED ON AN ATTACHED MAP. THE SECOND ARTICLE SAID THAT EACH COUNTRY RESERVES TO ITSELF THE RIGHT TO DECIDE WHAT KINDS OF JURISDICTION IT WILL ESTABLISH IN THE SEAS OFF ITS COASTS UP TO A MAXIMUM OF 200 MILES.

2. HE THEN SHOWED ME THE MAP. IT SHOWS THE BORDER DRAWN
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SEAWARD. ON THE ECUADORIAN SIDE IT SHOWS A 200 MILE TERRITORIAL SEA. ON THE COLOMBIAN SIDE IT SHOWS A 12-MILE TERRITORIAL SEA; IT THEN SHOWS A SHADED PORTION OUT ZL 200 MILES LABELED AN ECONOMIC CONSERVATION ZONE. REPEATING OUR CONCERNS THAT EXTENSION OF JURISDICTIONS NOT BE ESTABLISHED UNILATERALLY, I INQUIRED WHETHER THE MAP DID NOT DO THAT.

3. THE MINISTER THEN AT LENGTH DISCOURSED ESSENTIALLY AS FOLLOWS: COLOMBIA AGREES WITH THE SECRETARY'S MONTREAL SPEECH THAT THE LOS CONFERENCE MUST REACH SOME AGREEMENTS NEXT YEAR AND NO ONE CAN WAIT INDEFINITELY; THE GOC UNDERSTANDS THAT COUNTRIES CANNOT BEGIN TAKING ACTION UNILATERALLY AND INDIVIDUALLY AND DOES NOT INTEND TO; WHAT IS IN THE AGREEMENT WITH ECUADOR IS IN EFFECT A STATEMENT OF COLOMBIA'S POLICY ON WHAT JURISDICTION OUGHT TO BE (MUCH, HE SAID, AS THE SECRETARY DID IN HIS SPEECH) RATHER THAN A LEGAL BASIS FOR JURISDICTION, WHICH WOULD REQUIRE LEGISLATIVE AUTHORITY.

4. THE MINISTER AGAIN DID NOT REFER TO THE FUTURE POSSIBILITY OF LEGISLATING (PARA 3, REFTEL B). HIS INSISTENCE THAT COLOMBIA WOULD PUSH FOR AGREEMENT IN THE LOS CONFERENCE NEXT YEAR MIGHT MEAN THAT BY PLANNING INTERNALLY FOR LEGISLATION THE GOC IS GETTING READY IN THE EVENT NO INTERNATIONAL

PROGRESS IS EVIDENT. IT TOOK THE OCCASION TO GIVE HIM AN AIDE MEMOIRE OUTLINING OUR VIEWS PER REFTEL A.

5. COMMENT: THE MINISTER COMMENTED ON THE AGREEMENT AND SHOWED ME THE TEXT/MAP ON THE BASIS OF PERSONAL CONFIDENCE. PLEASE PROTECT.

6. I DO NOT BELIEVE THAT THE SITUATION IS AS IDEAL AS WE WOULD LIKE TO HAVE IT. WHETHER OR NOT THE AGREEMENT AS IT FINALLY IS PUT OUT WILL BE VIEWED IN STRICTLY LEGAL TERMS AS "UNILATERAL ACTION" BY COLOMBIA OR NOT MAY BE MOOT. IN ANY CASE, THERE IS AT LEAST SOME COMFORT IN KNOWING THAT A) COLOMBIA WILL APPARENTLY NOT SUCCUMB TO ECUADORIAN BLANDISHMENTS TO SUPPORT A 200 MILE TERRITORIAL SEA CONCEPT; B) THE POSITION THE GOC HAS ADOPTED IS SIMILAR TO OURS AND TO WHAT WE HOPE THE LOS CONFERENCE WILL END UP WITH AND C) COLOMBIA STILL INTENDS TO PUSH FOR AN INTERNATIONAL
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AGREEMENT IN THE LOS CONFERENCE. TO A GREAT DEGREE, ALSO, I THINK LIEVANO AND LOPEZ ALSO VIEW THE AGREEMENT WITH ECUADOR AND THE GOC POLICY AS ADDING TO THE PRESSURE ON THE LOS CONFERENCE TO REACH AN AGREEMENT NEXT YEAR (WHICH IS THE WAY, IN FACT, LIEVANO READS THE SECRETARY'S SPEECH).
VAKY

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NNN

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*** Current Classification *** CONFIDENTIAL

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